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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/768,667 01/24/01 HODA

T 05058/02806

024367
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WM01/1107

EXAMINER

NGUYEN, H

ART UNIT

PAPER NUMBER

2615

DATE MAILED:

11/07/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/768,667	Applicant(s) HODA ET AL.	
	Examiner HUY T NGUYEN	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 07/517206.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. A substitute specification except the claims is required pursuant to 37 CFR 1.125(a) because the excessive amendment to the specification filed January 24, 2001 would cause the error during the issue and printing process.

A substitute specification filed under 37 CFR 1.125(a) must only contain subject matter from the original specification and any previously entered amendment under 37 CFR 1.121. If the substitute specification contains additional subject matter not of record, the substitute specification must be filed under 37 CFR 1.125(b) and must be accompanied by: 1) a statement that the substitute specification contains no new matter; and 2) a marked-up copy showing the amendments to be made via the substitute specification relative to the specification at the time the substitute specification is filed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 33-34,36,37 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Kinoshita et al (4,897,732).

Regarding claims 33-34 and 40, Kinoshita discloses a camera apparatus (Figs. 1,4,8) comprising:

a camera body (Figs.1, 4 and 8);

an image device (4,5);

a first memory (20) connected to a first connection and second memory (7) connected to a second connection (column 2, lines 50-60, column 3, lines 25-60, column 4, lines 60-64);

a reproducing device (31) that connects to the first memory in a first condition and connects to the second memory in a second condition ; and

a changer for selectively changing between the first condition and the second condition (column 3, lines 5-10, 60-68, columns 5-6).

Regarding claim 36, Kinoshita teaches a finder (10) (column 3, lines 1-4).

Regarding claim 37, Kinoshita further teaches a printer coupled to the camera (column 6, lines 53-60)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Konishita et al in view of Sasaki et al (5,034,804).

Konishita fails to specifically teach that the first memory is an IC card . However, it is noted that using an IC card for recording image signal is well known in the art as taught by Sasaki (Fig. 12) in order to access the stored image with faster speed. Therefore, it would have been obvious to one of ordinary skill in the art to modify Kinoshita with Sasaki by using an IC card as an alternative to the second memory of Kinoshita for recording the image signal .

6. Claims 38-39 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al in view of Sasaki et al (5,034,804).

Regarding claims 38 and 41, Kinoshita discloses a camera apparatus (Fig 4) comprising:

a camera body (Fig. 4);

an image device (4,5);

a first memory (20) connected to a first connection and second memory (7) connected to a second connection (column 2, lines 50-60, column 3, lines 25-60, column 4, lines 60-64);

a reproducing device (31) that connects to the first memory in a first condition and connects to the second memory in a second condition ; and

changer means for selectively changing between the first condition and a second condition (column 3, lines 5-10, 60-68, columns 5-6).

Kinoshita fails to specifically teach that the first memory is semiconductor memory . However, it is noted that using a semiconductor memory for recording image signal in order to access the storing and reading of the images with faster speed is well known in the art as taught by Sasaki (Fig. 12). Therefore , it would have been obvious to one of ordinary skill in the art to modify Konishita with Sasaki by using a semiconductor memory as an alternative to the second memory of Kinoshita for recording the image signal

Regarding claim 39, Kinoshita teaches a finder (10) (column 3, lines 1-4).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Orii and Tojo et al teach cameras that have a first memory and a second memory for storing image signals.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.


HUY T NGUYEN
PRIMARY EXAMINER

H.N
November 2, 2001